

FILED

Mar 11 2025

Mark B. Busby

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCOUNITED STATES DISTRICT
NORTHERN DISTRICT OF CALIFORNIA**CRIMINAL COVER SHEET**

Instructions: Effective November 1, 2016, this Criminal Cover Sheet is to be filed along with the Defendant Information Form, for each new criminal case.

CASE NAME:**USA V. JOSE BADILLO****CASE NUMBER:** CR25-00062 JSC**This Case Under Seal?**Yes ☒ No**Total Number of Defendants:**1 ☒ 2-7 8 or more**Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?**Yes No ☒**Venue (Per Crim. L.R. 18-1):**SF ☒ OAK SJ**Is this a potential high-cost case?**Yes No ☒**Is any defendant charged with a death-penalty-eligible crime?**Yes No ☒**Is this a RICO Act gang case?**Yes No ☒**Assigned AUSA****(Lead Attorney):** Nicholas M. Parker**Date Submitted:** March 11, 2025**Comments:**

RESET FORM

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United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

CR25-00062 JSC

UNITED STATES OF AMERICA,

V.

JOSE BADILLO,
a/k/a Jose Vicente Badillo,

FILED

Mar 11 2025

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

DEFENDANT(S).

INDICTMENT

18 U.S.C. §§ 844(i) and 844(n) – Conspiracy to Commit Arson;

18 U.S.C. §§ 844, 981, 982 and 28 U.S.C. § 2461 – Forfeiture Allegation

A true bill.

/S/ Foreperson of the Grand Jury

Foreman

Filed in open court this 11th day of

March, 2025.

Brenda Lopez
Brenda Lopez, Deputy Clerk

Bail, \$ Summons

Sallie Kim
Hon. Sallie Kim, U.S. Magistrate Judge

FILED

Mar 11 2025

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

PATRICK D. ROBBINS (CABN 152288)
Acting United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR25-00062 JSC
Plaintiff,)	
v.)	<u>VIOLATIONS:</u>
JOSE BADILLO,)	18 U.S.C. §§ 844(i) and 844(n) – Conspiracy to
a/k/a JOSE VICENTE BADILLO,)	Commit Arson;
Defendant.)	18 U.S.C. §§ 844, 981, 982 and 28 U.S.C. § 2461
)	– Forfeiture Allegation
)	SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

Introductory Allegations

At all times relevant to this Indictment:

1. Defendant JOSE BADILLO, a/k/a JOSE VICENTE BADILLO, resided in the Northern District of California and was associated with one or more commercial towing companies, including Auto Towing and Specialty Towing
2. Auto Towing provided towing services throughout the San Francisco Bay Area and operated out of a tow yard located at 1229 Underwood Avenue in San Francisco, California.

INDICTMENT

1 COUNT ONE: (18 U.S.C. §§ 844(i) and 844(n) – Conspiracy to Commit Arson)

2 10. The allegations above are re-alleged and incorporated as if fully set forth here.

3 11. Beginning on a date unknown to the Grand Jury but no later than on or about April 4,
4 2023, and continuing through a date unknown to the Grand Jury but no earlier than on or about October
5 3, 2023, in the Northern District of California, the defendant,

6 JOSE BADILLO,

7 along with CO-CONSPIRATOR 1, CO-CONSPIRATOR 2, CO-CONSPIRATOR 3, and CO-
8 CONSPIRATOR 4, and others known and unknown to the Grand Jury, did knowingly conspire to
9 maliciously damage and destroy, and attempt to do so, by means of fire and an explosive, any building,
10 vehicle, and other real and personal property used in interstate and foreign commerce, and used in any
11 activity affecting interstate and foreign commerce, namely tow trucks operated by commercial towing
12 companies located in the Northern District of California.

13 12. The conspiracy encompassed damage to and destruction of at least the following six tow
14 trucks by means of fire and explosives:

- 15 • On or about April 4, 2023, one (1) 2008 white Sterling Bullet 45 tow truck and one (1) 2012
16 white Dodge Ram 4500 tow truck operated by a commercial towing company located in the
17 Northern District of California and doing business in interstate and foreign commerce and in
18 activity affecting interstate and foreign commerce;
- 19 • On or about April 29, 2023: one (1) 2018 Peterbilt 579 “heavy wrecker” tow truck operated by a
20 commercial towing company located in the Northern District of California and doing business in
21 interstate and foreign commerce and in activity affecting interstate and foreign commerce;
- 22 • On or about July 25, 2023, one (1) 2009 Ford F-550 tow truck operated by a commercial towing
23 company located in the Northern District of California and doing business in interstate and
24 foreign commerce and in activity affecting interstate and foreign commerce; and
- 25 • On or about October 3, 2023, one (1) 2022 Dodge Ram 550 flatbed tow truck and one (1) 2007
26 Ford F-550 tow truck operated by a commercial towing company located in the Northern District
27 of California and doing business in interstate and foreign commerce and in activity affecting
28 interstate and foreign commerce,

1 in violation of Title 18, United States Code, Section 844(i).

2 All in violation of Title 18, United States Code, Section 844(n).

3 FORFEITURE ALLEGATION: (18 U.S.C. §§ 844, 981, 982; 28 U.S.C. § 2461)

4 The allegations contained in this Indictment are re-alleged and incorporated by reference for the
5 purpose of alleging forfeiture under Title 18, United States Code, Sections 844, 981, and 982, as well as
6 Title 28, United States Code, Section 2461 and Title 49, United States Code, Section 80303.

7 Upon conviction for the offense set forth in this Indictment, the defendant,

8 JOSE BADILLO,

9 shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C), (G),
10 982(a)(2)(B), and Title 28, United States Code, Section 2461(c), any property, real or personal,
11 constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violations, and
12 pursuant to Title 18, United States Code, Section 844(c) and Title 28, United States Code, Section
13 2461(c), any explosive materials and firearms involved, or used or intended to be used, in the violations,
14 and a forfeiture money judgment.

15 If any of the property described above, as a result of any act or omission of the defendant:

- 16 a. cannot be located upon exercise of due diligence;
- 17 b. has been transferred or sold to, or deposited with, a third party;
- 18 c. has been placed beyond the jurisdiction of the court;
- 19 d. has been substantially diminished in value; or
- 20 e. has been commingled with other property which cannot be divided without
- 21 difficulty,

22 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
23 United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

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1 All pursuant to Title 18, United States Code, Sections 844, 981, and 982, as well as Title 28,
2 United States Code, Section 2461 and Title 49, United States Code, Section 80303, and Federal Rule of
3 Criminal Procedure 32.2.

4
5 DATED: March 11, 2025

A TRUE BILL.

6
7 /s/ Foreperson
8 FOREPERSON

9 PATRICK D. ROBBINS
10 Acting United States Attorney

11 /s/ Nicholas Parker
12 NICHOLAS M. PARKER
13 Assistant United States Attorney

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**18 U.S.C. §§ 844(i) and 844(n) – Conspiracy to Commit Arson
18 U.S.C. §§ 844, 981, 982; 28 U.S.C. § 2461– Forfeiture Allegation☐ Petty
☐ Minor
☐ Misdemeanor
☒ FelonyPENALTY: • Imprisonment: Min. 5 – Max. 20 years
• Fine: \$250,000
• Supervised Release: 3 years
• Special Assessment: \$100
• Forfeiture

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
DIVISION- SAN FRANCISCO**DEFENDANT - U.S.**

▶ Jose Badillo (a/k/a Jose Vicente Badillo)

DISTRICT COURT NUMBER
CR25-00062 JSC**PROCEEDING**Name of Complainant Agency, or Person (& Title, if any)
Federal Bureau of Investigation☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. ATTORNEY ☐ DEFENSESHOW
DOCKET NO.☐ this prosecution relates to a pending case involving this same defendantMAGISTRATE
CASE NO.☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underName and Office of Person
Furnishing Information on this form PATRICK D. ROBBINS☒ U.S. Attorney ☐ Other U.S. AgencyName of Assistant U.S.
Attorney (if assigned) Nicholas M. Parker**DEFENDANT****IS NOT IN CUSTODY**1) ☐ Has not been arrested, pending outcome this proceeding.
If not detained give date any prior summons was served on above charges ▶2) ☐ Is a Fugitive3) ☒ Is on Bail or Release from (show District)

N.D. Cal.

IS IN CUSTODY4) ☐ On this charge5) ☐ On another conviction6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF
ARREST ▶

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY ▶

Month/Day/Year

FILED

Mar 11 2025

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO☐ Federal ☐ State☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☒ SUMMONS ☐ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☒ Arraignment ☒ Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: 3/13/2025 | 10:30 am Before Judge: Kim

Comments: 450 Golden Gate Avenue, San Francisco, CA 94102: Courtroom C – 15th Floor